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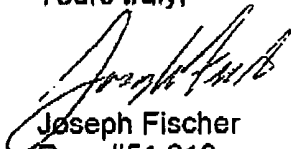
TO : Commissioner for Patents  
COMPANY : USPTO  
FAX No. : 1-703-872-9306  
No of PAGES : 65 (including cover sheet)  
FROM : Joseph Fischer  
DATE : June 29, 2005  
RE : Serial Number 10/786,773; Filed 02/24/2004  
ATTY. DOCKET NO: 10505-002

**VIA FACSIMILE ONLY**

Attached please find for entry into the above-referenced application:

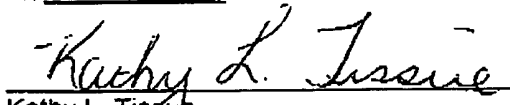
- 1) Information Disclosure Statement Transmittal (2 pages);
- 2) Form 1449 (2 pages);
- 3) Form 2038 (1 page); and
- 4) Copies of non-patent references

Yours truly,

  
Joseph Fischer  
Reg. #51,210

**Certificate of Transmission**

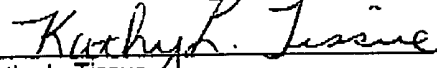
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Application No. 10/786,773

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

**John Benziger**

Group Art Unit: 3765

Serial No.: 10/786,773

Examiner: Lindsey, Rodney M.

Filed: 02/24/2004

For: **Weight-Bearing Headwear, Components Thereof,  
And Methods of Use**

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

- ☐ 1. Pursuant to 37 CFR 1.97(b)  
(within 3 months of filing or prior to 1st Office Action)
- ☒ 2. Certification Pursuant to 37 CFR 1.97(c)  
(before Final Office Action or Allowance)
- ☐ 3. Petition, Certification & Petition Fee Payment Pursuant to 37 CFR 1.97(d) (after  
Final Office Action or Allowance but before issue fee payment)

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P.O. Box 1450  
Alexandria, VA 22313-1450

06/29/2005 TL0111 00000039 10786773

01 FC:1806

180.00 OP

Sir:

The following are submitted in the above-identified application in compliance with 37  
CFR 1.97 & 1.98:

- ☒ 4. A list of documents on form PTO-1449 is enclosed herewith, as well as copies of  
the non-patent references.

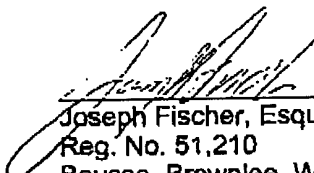
This paper is submitted in accordance with:

- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]

Application No. 10/786,773

- ☒ 6. 37 CFR 1.97(c): [before Final office Action or Allowance, whichever is earlier, and
- ☐ 7. The required certification made in item 10 below; or
- ☒ 8. The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement.
- ☐ 9. 37 CFR §1.97(d): [after Final Office Action or Allowance, but before issue fee payment]; and
- a) This is a petition for consideration of the subject Information Disclosure Statement. The petition fee (\$180.00) required by 37 CFR 1.17(i)(1) is authorized in item 11 below. (Direct this letter to: "Attention: PETITIONS EXAMINER" and, if applicable, include batch locator information: e.g., "Allowed Files, Batch \_\_\_\_\_, Date of Allowance \_\_\_\_\_"), and
- b) The required Certification is stated in item 10 below.
- ☐ 10. Certification
- ☐ a) Each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
- or
- ☐ b) No item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this document after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three (3) months prior to the filing of this Statement.
- ☐ 11. Please charge all applicable fees associated with the submittal of this Information Disclosure Statement to Deposit Account No. \_\_\_\_\_.

Respectfully submitted,

  
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/786,773		
		Filing Date	02/24/2004		
		First Named Inventor	John Benziger		
		Art Unit	3765		
		Examiner Name	Lindsey, Rodney M.		
Sheet	1	of	2	Attorney Docket Number	10505-002

## U.S. PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2,3</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	01	US- 500,686	07-04-1893	Corker	
	02	US-1,047,212	12-17-1912	Hamilton	
	03	US-3,759,510	09-18-1973	Jackson, Jr.	
	04	US-3,820,780	08-28-1974	Tarbox	
	05	US-4,168,060	09-18-1979	Hohenfeldt	
	06	US-4,312,076	01-26-1982	Gamm	
	07	US-4,339,124	07-13-1982	Vogler	
	08	US-4,858,598	08-22-1989	Halpern	
	09	US-4,925,185	05-15-1990	Gongwer et al.	
	10	US-4,953,856	09-04-1990	Fox, III	
	11	US-4,967,737	11-06-1990	Bassett et al.	
	12	US-4,988,093	01-29-1991	Forrest, Sr. et al.	
	13	US-5,046,484	09-10-1991	Bassett et al.	
	14	US-6,000,066	12-14-1999	Williams	
	15	US-6,110,080	08-29-2000	Niv	
	16	US-6,217,482 B1	04-17-2001	Yoo et al.	
	17	US-6,299,569 B1	10-09-2001	Rich	
	18	US-6,402,666 B2	06-11-2002	Krull	
	19	US-6,592,502 B1	07-15-2003	Phillips	

## FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.15 if possible. <sup>7</sup>Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08A (08-03)

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				Application Number	10/786,773
				Filing Date	02-24-2004
				First Named Inventor	John Benziger
				Art Unit	3765
				Examiner Name	Lindsey, Rodney M.
Sheet	2	of	2	Attorney Docket Number	10505-002

NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	01	C.H. Turner and A.G. Robling, "Designing Exercise Regimens to Increase Bone Strength," Exerc. Sport Sci. Rev. 2003, 31:1, 45-50.		
	02	J.A. Todd and R. J. Robinson, "Osteoporosis and exercise," Postgrad. Med Journal, 2003;79:320-323,.		
	03	Diane Feskanich, W. Willet and G. Colditz, "Walking and Leisure-Time Activity and Risk of Hip Fracture in Postmenopausal Women, JAMA 2002, 288:18, 2300-2306, 2305.		
	04	Wolfgang Kemmler et al. . "The Erlangen Fitness Osteoporosis Prevention Study: A Controlled Exercise Trial in Early Postmenopausal Women with Low Bone Density - First-Year Results," Arch Phys Med Rehabil, 2003;84:673-682.		
	05	Khan et al., Physical Activity and Bone Health Human Kinetics, publ., 2001, pages 11-34.		
	06	Michael O'Shea, lay press "Parade's guide to Better Fitness," pp. 14-15, October 12, 2003.		

Examiner Signature		Date Considered	
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